

REMARKS

Status of Claims

Claims 1, 4-7 and 9-10 remain for examination.

Prior Art Rejection

Claims 1, 4-7, 9 and 10 stand rejected under 35 U.S.C. § 103 as unpatentable over Futakami (5,842,761) in view of Okajima (5,334,993) and further in J.P. 2-93425.

The examiner's rejections are respectfully traversed.

The examiner recognizes that Futakami fails to disclose the support members to be elastically deformable and fails to disclose that only one of the holding members has a depression. While the examiner appears to cite elements 101 and 104, which are mounted between the top and bottom support members 151 and 152, applicant points out that the liquid crystal cell is identified as element 111 and not elements 104 or 101. Nevertheless, the examiner is still correct in that Futakami fails to disclose the support members being elastically deformable and fails to disclose that only one of the holding members has a depression.

In order to supply the missing ingredients, the examiner has turned to Okajima, apparently for its teaching of a plastic housing. The plastic housing is comprised of the parts 112 and 113. However, the plastic housing is utilized to house the light source 111 and it seems clear from the overall disclosure that the plastic is not deformable. Indeed, Okajima does not disclose that the plastic is deformable and thus does not support the rejection as to this element of applicant's claims.

With regard to the JP reference, the examiner points to figure 12 for a teaching of only a single holding member having the depression. However, figure 12 shows a single holding member having a slot therein in which the LCD is positioned.

Applicant has amended claim 1 to make it clear that the second holding member is "separate and distinct" from the first holding member. Of course, in applicant's invention,

the holding members are placed adjacent one another and support the LCD panel therebetween. However, they are nevertheless distinct elements and the claim has been amended accordingly. This limitation serves to more clearly differentiate applicant's invention from the JP '425 teaching.

As much as applicant's claims now recite elements not disclosed in the combined teachings for the prior art, the Patent and Trademark Office has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103.

Moreover, applicant asserts that the PTO has not shown any motivation to combine the references in the manner to arrive at applicant's claims. Indeed, it appears that the PTO has merely picked bits and pieces from several disparate references to formulate a hindsight argument to reject applicant's claims. It is clear, however, that in order to establish a case of obviousness under the provisions of 35 U.S.C. § 103, the references must themselves provide a motivation to combine the same in a manner to arrive at applicant's invention. This is certainly not the case here and thus, for this additional reason, the § 103 rejection must be withdrawn.

Conclusion

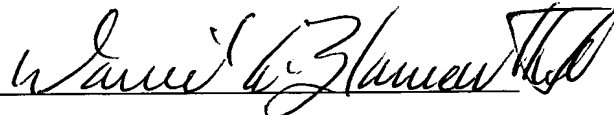
The application is now believed to be in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith,
Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment
of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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